

**APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office JUN 25 1999

Returned to applicant for correction _____

Corrected application filed _____

Map filed JUN 25 1997

The applicant PAUL R. HELMS AND ASSOCIATES, a Nevada corporation, hereby make application for permission to change the POINT OF DIVERSION MANNER AND PLACE OF USE OF A PORTION of water heretofore appropriated under CLAIM NOS. 485 & 489 OF THE TRUCKEE RIVER DECREE, SAID DECREE ENTERED BY THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE DISTRICT OF NEVADA IN THAT COMPANY, ETAL", DEFENDANTS, IN EQUITY DOCKET NO. A-3.

1. The source of water is TRUCKEE RIVER
2. The amount of water to be changed 2.32 ACRE FEET AND A PRORATA SHARE OF THE DIVERSION RATE.
3. The water to be used for MUNICIPAL AND DOMESTIC USE
4. The water heretofore permitted for AS DECREED
5. The water is to be diverted at the following point REFER TO EXHIBIT "A"
6. The existing permitted point of diversion is located within NW $\frac{1}{4}$ SE $\frac{1}{4}$ SECTION 11 T19N, R19E, MDM, OR AT A POINT FROM WHICH THE SW CORNER OF SAID SECTION 11, BEARS S 69° 15' W, A DISTANCE OF 3640.00 FEET. (COCHRAN DITCH)
7. Proposed place of use REFER TO EXHIBIT "B"
8. Existing place of use A PORTION OF THE NW $\frac{1}{4}$ NW $\frac{1}{4}$ AND NE $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 28 T19N, R20E, MDM TOTALING 0.58 ACRES
9. Use will be from JANUARY 1 to DECEMBER 31 of each year.
10. Use was permitted from AS DECREED
11. Description of proposed works WATER WILL BE DIVERTED AT EXISTING COMPANY FACILITIES TREATED AND PLACED INTO EXISTING DISTRIBUTION SYSTEM.
12. Estimated cost of works EXISTING
13. Estimated time required to construct works EXISTING
14. Estimated time required to complete the application of water to beneficial use 10 YEARS
15. Remarks: SEE EXHIBITS "A" & "B" FOR SUPPORTING INFORMATION. SIERRA PACIFIC POWER COMPANY IS THE WHOLESALE SUPPLIER TO WASHOE COUNTY FOR THE SPECIFIC PURPOSE OF DIVERTING, TREATING. PROCESSING AND DELIVERING THE WATER REQUIRED UNDER THE WHOLESALE AGREEMENT.

s/Michael D. Buschelman
By MICHAEL D. BUSCHELMAN
5405 Mae Anne Avenue
Reno, NV 89523

Compared my/cmf lt/sam

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, manner of use, and place of use of a portion of the waters of the Truckee River as heretofore granted under Claim 485/489. Truckee River Final Decree is issued subject to the terms and conditions imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein. A suitable measuring device must be installed and accurate measurements of water placed to beneficial use must be kept.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.015 cubic feet per second, but not to exceed 2.32 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before:

January 11, 2006

Proof of completion of work shall be filed before:

February 11, 2006

Water must be placed to beneficial use on or before:

January 11, 2015

Proof of the application of water to beneficial use shall be filed on or before:

February 11, 2015

Map in support of proof of beneficial use shall be filed on or before:

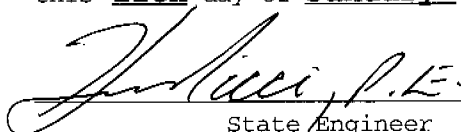
N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 11th day of January A.D. 2005


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A _____

Certificate No. _____ Issued _____

EXHIBIT "A"

The following describes the multiple points of diversion for Sierra Pacific Power Company Water Treatment Plants, which are shown on the map accompanying Application No. 58882 on file with the State of Nevada, Division of Water Resources, more particularly described as follows:

STEAMBOAT CANAL (HUNTER CREEK RESERVOIR):

The existing point of diversion is situate within the Northeast one-quarter of the Southwest one-quarter (NE ¼ SW ¼) of Section 31, T.19N., R.18E., M.D.B. & M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 31 bears South 62° 04' East, a distance of 3,195.00 feet.

HIGHLAND DITCH (HIGHLAND RESERVOIR):

The existing point of diversion is situate within the Southwest one-quarter of the Southeast one-quarter (SW ¼ SE ¼) of Section 9, T.19N., R.18E., M.D.B. & M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 9 bears South 75° 16' East, a distance of 1,650.00 feet.

IDLEWILD TREATMENT PLANT:

The existing point of diversion is situate within the Southeast one-quarter of the Southeast one-quarter (SE ¼ SE ¼) of Section 10, T.19N., R.19E., M.D.B. & M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 10 bears South 69° 57' 58" East, a distance of 842.34 feet.

NORTH TRUCKEE DITCH (GLENDALE TREATMENT PLANT):

The existing point of diversion is situate within the Southwest one-quarter of the Northeast one-quarter (SW ¼ NE ¼) of Section 7, T.19N., R.20E., M.D.B. & M., Washoe County, Nevada, from said point of diversion, the Northeast corner of said Section 7 bears North 39° 28' East, a distance of 3,015.00 feet.

ORR DITCH PUMP STATION (CHALK BLUFF TREATMENT PLANT):

The point of diversion is situate within the Northeast one-quarter of the Southeast one-quarter (NE ¼ SE ¼) of Section 17, T.19N., R.19E., M.D.B. & M., Washoe County, Nevada, from said point of diversion, the Northeast corner of said Section 17 bears North 15° 39' 36" East, a distance of 3,264.77 feet.

ORR DITCH (CHALK BLUFF TREATMENT PLANT):

The point of diversion is situate within the Northeast one-quarter of the Southwest one-quarter (NE ¼ SW ¼) of Section 17, T.19N., R.19E., M.D.B. & M., Washoe County, Nevada, from said point of diversion, the Southwest corner of said Section 17 bears South 44° 40' West, a distance of 3,211.00 feet.

PERMIT 53249

The existing point of diversion under Permit 53249 described as:

West ½ Northwest ¼ Section 16, T.19N., R.20E., M.D.B. & M., or at a point from which the west ¼ corner of Section 21, T.19N., R.20E., M.D.B. & M., bears S. 09° 54' 07" W. a distance of 6929.94 feet.

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SERIAL NO. _____

EXHIBIT "B"
PROPOSED PLACE OF USE

<u>DIVISION</u>	<u>SECTION</u>	<u>T-N</u>	<u>R-E</u>	
ALL	1 - 5	18	18	M.D.B. & M.
E 1/2	6 & 7	18	18	M.D.B. & M.
ALL	8 - 17	18	18	M.D.B. & M.
E 1/2	18 & 19	18	18	M.D.B. & M.
ALL	20 - 29	18	18	M.D.B. & M.
E 1/2	30 & 31	18	18	M.D.B. & M.
ALL	32 - 36	18	18	M.D.B. & M.
ALL	1 - 5	19	18	M.D.B. & M.
E 1/2	6 & 7	19	18	M.D.B. & M.
ALL	8 - 17	19	18	M.D.B. & M.
E 1/2	18 & 19	19	18	M.D.B. & M.
ALL	20 - 29	19	18	M.D.B. & M.
E 1/2	30 & 31	19	18	M.D.B. & M.
ALL	32 - 36	19	18	M.D.B. & M.
ALL	1 - 5	20	18	M.D.B. & M.
E 1/2	6 & 7	20	18	M.D.B. & M.
ALL	8 - 17	20	18	M.D.B. & M.
E 1/2	18 & 19	20	18	M.D.B. & M.
ALL	20 - 29	20	18	M.D.B. & M.
E 1/2	30 & 31	20	18	M.D.B. & M.
ALL	32 - 36	20	18	M.D.B. & M.
ALL	1 - 5	21	18	M.D.B. & M.
E 1/2	6 & 7	21	18	M.D.B. & M.
ALL	8 - 17	21	18	M.D.B. & M.
E 1/2	18 & 19	21	18	M.D.B. & M.
ALL	20 - 29	21	18	M.D.B. & M.
E 1/2	30 & 31	21	18	M.D.B. & M.
ALL	32 - 36	21	18	M.D.B. & M.
ALL	1 - 36	18	19	M.D.B. & M.
ALL	1 - 36	19	19	M.D.B. & M.
ALL	1 - 36	20	19	M.D.B. & M.
ALL	1 - 36	21	19	M.D.B. & M.
ALL	2 - 35	18	20	M.D.B. & M.
W1/2	36	18	20	M.D.B. & M.
ALL	1 - 12	19	20	M.D.B. & M.
ALL	14 - 23	19	20	M.D.B. & M.
ALL	26 - 35	19	20	M.D.B. & M.
ALL	1 - 36	20	20	M.D.B. & M.
ALL	1 - 36	21	20	M.D.B. & M.
ALL	1 - 36	20	21	M.D.B. & M.
ALL	1 - 36	21	21	M.D.B. & M.

See supporting map on file with Application No. 62141.

(1/1/98)